

AGENDA
TRAVERSE CITY BOARD OF ZONING APPEALS
REGULAR MEETING
TUESDAY, JUNE 10, 2014
7:00 P.M.
Committee Room, Governmental Center, 2nd Floor
Governmental Center
400 Boardman Avenue
Traverse City, Michigan 49684
231-922-4464

1. **CALL MEETING TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES-** Approval of the May 13, 2014 regular meeting minutes.
4. **REQUEST 14-BZA-05 – A REQUEST FROM DAVE SHELDON 911 WAYNE STREET, TRAVERSE CITY, MICHIGAN, CONTRACTOR FOR BILL LANCASTER, 438 FIFTH STREET, TRAVERSE CITY, MICHIGAN for:**

A dimensional variance of 1 foot, 1 inch to allow for a new attached garage to be 10 feet, 3 inches from the east (side) property line located at the property mentioned.
5. **A REQUEST FROM KEITH AND CHERI HUGGETT, 122 NORTH ELMWOOD AVENUE, TRAVERSE CITY, MICHIGAN for:**

A dimensional variance to allow for a detached garage addition to be on the property line and in the front yard on 3rd Street located at the property mentioned.
6. **A REQUEST FROM DAVE HEIM, 2304 LEISURE LANE, TRAVERSE CITY, MICHIGAN, CONSTRUCTION DESIGN CONSULANT FOR THE GRAND TRAVERSE AREA COMMUNITY LIVING CENTER, 935 BARLOW STREET, TRAVERSE CITY MICHIGAN for:**

A dimensional variance 3 feet to allow for a 12 foot by 20 foot deck to be 12 feet from the rear property line located at the property mentioned.

7. PUBLIC COMMENT

8. ADJOURNMENT

The City of Traverse City does not discriminate on the basis of disability in the admission or access to or treatment or employment in, its programs or activities. Penny Hill, Assistant City Manager, 400 Boardman Avenue, Traverse City, Michigan, 49684, 922-4481, T.D.D., 922-4412, has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA Coordinator. If you are planning to attend and you have a disability requiring any special assistance at the meeting and/or if you have any concerns, please immediately notify the ADA Coordinator.

**MINUTES
TRAVERSE CITY BOARD OF ZONING APPEALS
REGULAR MEETING**

TUESDAY, MAY 13, 2014

7:00 P.M.

**Committee Room, Governmental Center, 2nd Floor
Governmental Center
400 Boardman Avenue
Traverse City, Michigan 49684
231-922-4464**

PRESENT: Members Bergman, Jones, Donaldson, Lomasney, Wegener, Matson, Hanley, Vice-Chairperson Callison (7:05) and Chairperson Cockfield.

ABSENT: Members Rafferty and Szajner

1. CALL MEETING TO ORDER

The meeting was called to order at 7:00 p.m.

2. APPROVAL OF MINUTES- Approval of the April 8, 2014 regular meeting minutes.

Motion by Member Donaldson, seconded by Member Jones to approve the April 8, 2014 regular meeting minutes as presented. Upon vote the motion carried 8-0.

3. REQUEST 14-BZA-04 – A REQUEST FROM PETER AND CAROL SPAULDING, 724 EAST STATE STREET, TRAVERSE CITY, MICHIGAN, for the following:

A dimensional variance to allow for a wraparound front porch to be located 0.57 feet from the east (side) property line located at the property mentioned.

A dimensional variance to allow for a wraparound porch, entry foyer addition, kitchen addition and side entry porch to be 6.56 feet from the west (side) property line located at the property mentioned.

Peter Spaulding presented drawings and answered question from the Board. Motion by Member Lomasney, seconded by Vice-Chairperson Callison to grant a dimensional variance to allow for a wraparound front porch to be located 0.57 feet from the east (side) property line and to allow for a wraparound porch, entry foyer addition, kitchen addition and side entry porch to be 6.56 feet from the west (side) property line located at the property commonly known as 724 East State Street based on the Statement of

Conclusions and Finding of Fact contained in the Order Granting for Variance No. 14-BZA-04. Upon vote the motion carried 9-0.

4. CONSIDERATION OF ADOPTING RULES AND PROCEDURES FOR THE CITY OF TRAVERSE CITY BOARD OF ZONING APPEALS.

Motion by Member Donaldson, seconded by Vice-Chairperson Callison to adopt the Rules and Procedures for the City of Traverse City Board of Zoning Appeals. Upon vote the motion carried 9-0.

5. PUBLIC COMMENT

None.

6. ADJOURNMENT

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

David Weston, Planning and Zoning Administrator

Date: _____

**CITY OF TRAVERSE CITY
ORDER AUTHORIZING
VARIANCE NO. 14-BZA-04**

Pursuant to the City of Traverse City Code of Ordinances § 1324.05(d), Variances, the Board of Zoning Appeals hereby authorizes a dimensional variance for the following:

Street Address:	724 E State Street, Traverse City, Michigan
Property Description:	E 30 FT OF LOT 2 BLOCK G HANNAH LAY & CO'S 7TH ADD
Variance Granted:	A dimensional variance to allow for a wraparound front porch to be located 0.57 feet from the east (side) property line and to allow for a wraparound porch, entry foyer addition, kitchen addition and side entry porch to be 6.56 feet from the west (side) property line.
Applicant:	Peter Spaulding

It is determined that the Applicant has demonstrated a hardship as well as showing of good and sufficient cause authorizing a variance by the City of Traverse City Code of Ordinances. The findings of fact and reasons upon which this determination is based are as follows:

1. The attached Statement of Conclusions and Finding of Fact are incorporated herein by reference.
2. The procedures and requirements for variance decisions by law and ordinance have been followed.

This Order shall not be deemed to be City approval for anything other than the variance authorized by this order and shall not relieve the owner or occupier of the land from obtaining any other license, permit or approval required by law or ordinance.

I hereby certify that the above Order was adopted on _____, _____, at a regular meeting of the Board of Zoning Appeals for the City of Traverse City at the County Committee Room, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Date: _____

David Weston, Planning and Zoning
Administrator

Note: A decision of the Board of Zoning Appeals shall be final. However, any party having a substantial interest affected by an order, determination or decision by the Board of Zoning Appeals may appeal to the Circuit Court, if made to the Court within twenty-eight (28) days after rendering the final decision or upon grant by the Court of leave to appeal. Codified Ordinances of Traverse City Michigan §1324.07(a).

STATEMENT OF CONCLUSION AND FINDINGS OF FACTS 14-BZA-04

The following are the Statements of Conclusions supported by evidence submitted to the Board of Zoning Appeals in connection with a request for a dimensional variance, Request No. 14-BZA-04, for the property commonly known as **724 East State Street**, Traverse City, Michigan, from the City of Traverse City and Snowden Development.

1. Practical Difficulty. There are exceptional or extraordinary circumstances or physical conditions that do not generally apply to other properties or used in the same district.
2. In granting the variance, the spirit of the Zoning Code is observed, public safety is secured and substantial justice is done.
3. No substantial adverse effect on property values in the immediate vicinity or in the district where the property is located will occur as a result of granting this variance.
4. The difficulty presented by the applicant in support of the request for a variance is not so general or recurrent in nature that a formulation of a general regulation for such condition is preferable.
5. The practical difficulty is unique to the property and not to the general neighborhood and shall apply only to property under control of the applicant.
6. Granting the variance is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.
7. The difficulty is not solely economic and is based on the reasonable use of a particular parcel of land.
8. The difficulty was not the result of an act of the applicant or a person in privity or concert with the applicant.

The foregoing Statement of Conclusions are supported by the following Findings of Fact No 14-BZA-04:

1. The lot is a nonconforming lot with a width of 30 feet.
2. The existing home is nonconforming and is in both side yard setbacks.
3. There is an existing covered porch on the west side of the home which is 6.56 feet from the property line.
4. The existing porch will be removed and the new porch and addition will be the same distance away from the property line as the old porch.
5. The Planning Director approved a second story addition over an existing one story portion of the home which is located in the required side yard setback subject to the conditions outlined in section 1370.02(a)(2).
6. The Planning Director could approve the extension of the front porch on the east side of the home subject to the conditions outlined in Section 1370.02(a)(4).
7. The additions to the west side of the home meets the minimum side yard setback 6 feet but does not meet the aggregate of 14 feet.
8. There are 18 homes on the 700 block of East State Street and 9 of them are nonconforming with the homes located in the required side yard setback.



Communication to the Board of Zoning Appeals

FOR THE MEETING OF: June 10, 2014

FROM: DAVID WESTON, ZONING ADMINISTRATOR

SUBJECT: REQUEST 14-BZA-05

DATE: June 6, 2014

You have a request from Dave Sheldon 911 Wayne Street, Traverse City, Michigan, Contractor for Bill Lancaster, **438 Fifth Street**, Traverse City, Michigan for relief from the zoning laws (§1332.04(b)) to demolish an existing attached car port and construct an attached garage (14'-2" x 19'-4") in the same location located at the property mentioned.

The property mentioned is zoned R-1b (Single Family Dwelling District) and the side yard setbacks are a minimum of one side 6 feet and an aggregate of 14 feet (one side 6' and the other side 8'). The existing home is already nonconforming with the west side of the home being 2 feet, 8 inches feet from the property line and the east side of the home with the existing carport being 10 feet, 3 inches feet from the property line. Once the existing carport is removed the nonconformity is lost and the new construction would be required to meet the side yard setback of 11 feet 4 inches. The applicant will be requesting a dimensional variance of 1 foot, 1 inch to allow for the new attached garage to be 10 feet, 3 inches from the east property line.



City of Traverse City

APPLICATION FEE: \$240.00	Date of Application: <u>4-20-14</u>
Check Number: <u>4937</u>	Date of Public Hearing: <u>6-10-14</u>
Receipt Number: <u>18377</u>	Case Number: <u>14-B2A-05</u>

**TRAVERSE CITY BOARD OF ZONING APPEALS
APPLICATION**

for Variance, Exception, Appeal, Ordinance Interpretation or
Reconsideration

PROPERTY DESCRIPTION (legal description AND property address): _____

438 5th Street Traverse City, MI 49684

REQUEST AND PROPOSED PROJECT:

Changing carport into garage
existing

TO BE COMPLETED BY ZONING ADMINISTRATOR:	
Request:	Appeal for Administrative Decision _____
	Interpretation of Ordinance _____
	Exception _____
	Variance _____

Name: Bill Lancaster Phone: 231-883-2619 Fax: _____

Address: 438 5th Street Traverse City, MI 49684

Signature of Owner: Bill Lancaster

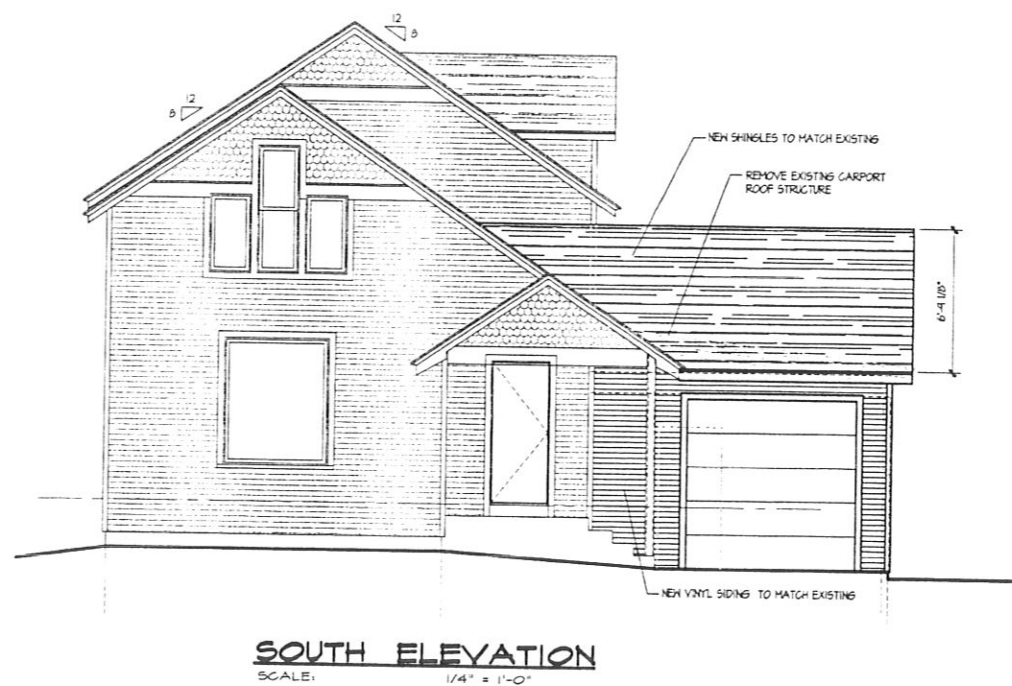
Signature of Applicant (if different): Dave Sheldon Dave Sheldon

Relationship of Applicant to Owner: Builder 231-409-4995

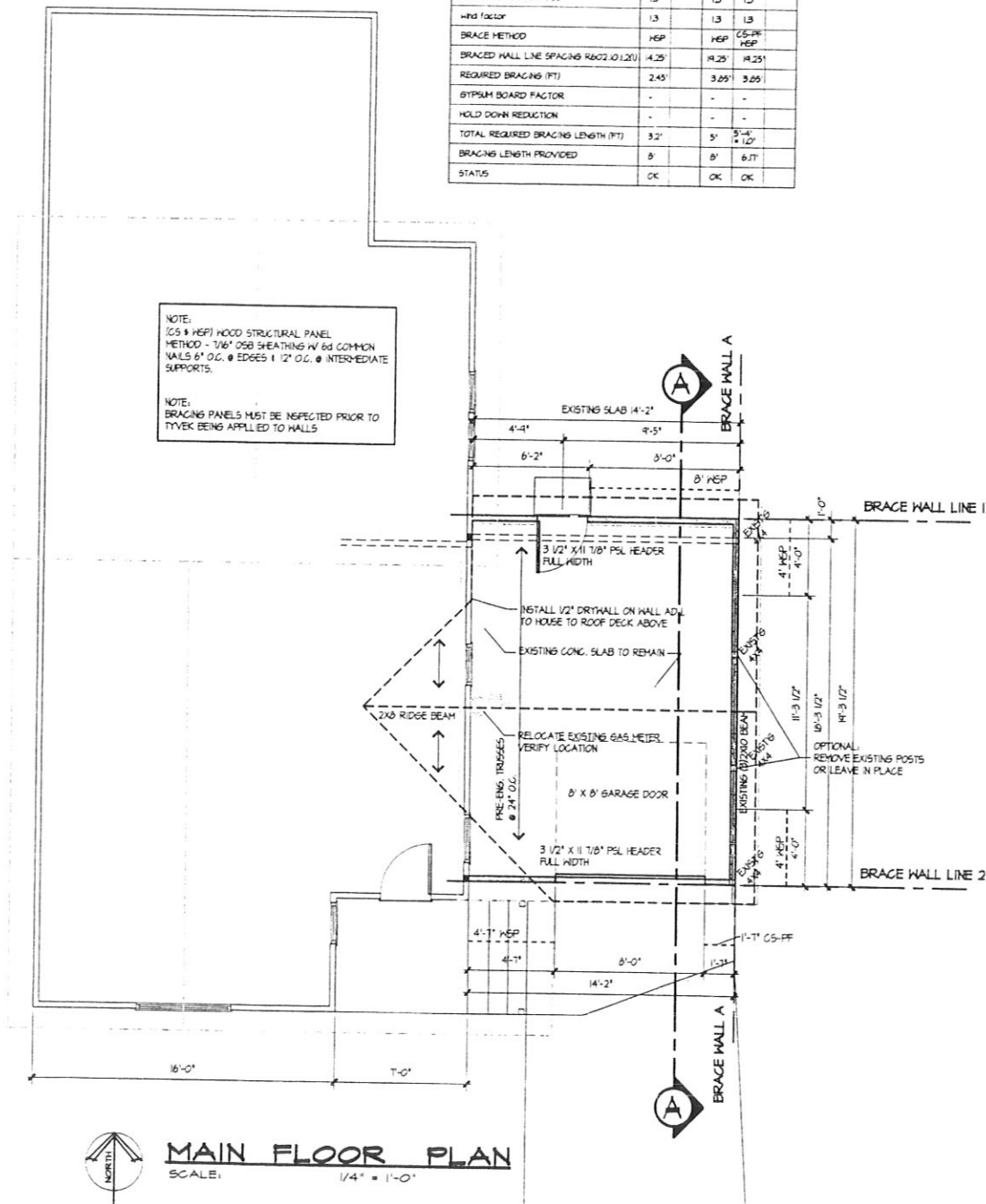
**APPLICATIONS MUST BE RECEIVED A MINIMUM OF 21 DAYS PRIOR
TO THE MEETING AT WHICH THE REQUEST WILL BE CONSIDERED.**

REPRESENTATION AT HEARING: THE APPLICANT OR THE APPLICANT'S
AUTHORIZED AGENT MUST BE PRESENT AT THE PUBLIC HEARING TO
PROPERLY ANSWER QUESTIONS CONCERNING THE APPEAL. IF THE
APPLICANT OR AGENT IS NOT PRESENT, THE APPEAL MAY BE DEFERRED
UNTIL THE NEXT MEETING OR DISMISSED AT THE DISCRETION OF THE BOARD.
*** PLEASE NOTE THE REVERSE SIDE FOR SITE PLAN REQUIREMENTS ***





	MAIN FLOOR	MAIN FLOOR	MAIN FLOOR
BRACE WALL LINE	A	1	2
b. exposure category	1.0	1.0	1.0
c. roof - eave to ridge height	1.0	1.0	1.0
d. wall height	1.0	1.0	1.0
e. # of braced wall lines	1.3	1.3	1.3
wind factor	1.3	1.3	1.3
BRACE METHOD	HEP	HEP	CS-PF
BRACED WALL LINE SPACING R602.10.1.2(1)	4.25'	4.25'	4.25'
REQUIRED BRACING (FT)	2.45'	3.05'	3.05'
BYPSUM BOARD FACTOR	-	-	-
HOLD DOWN REDUCTION	-	-	-
TOTAL REQUIRED BRACING LENGTH (FT)	3.2'	5'	5.10'
BRACING LENGTH PROVIDED	8'	8'	8.17'
STATUS	OK	OK	OK



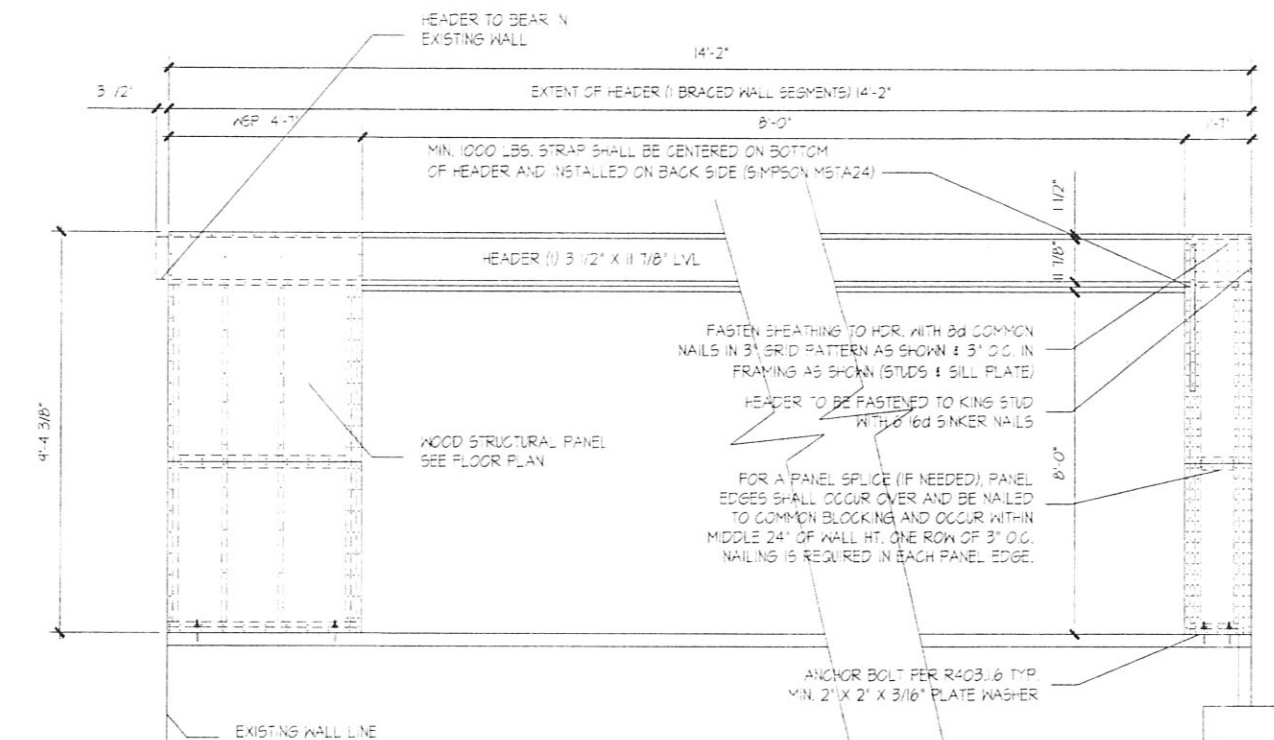
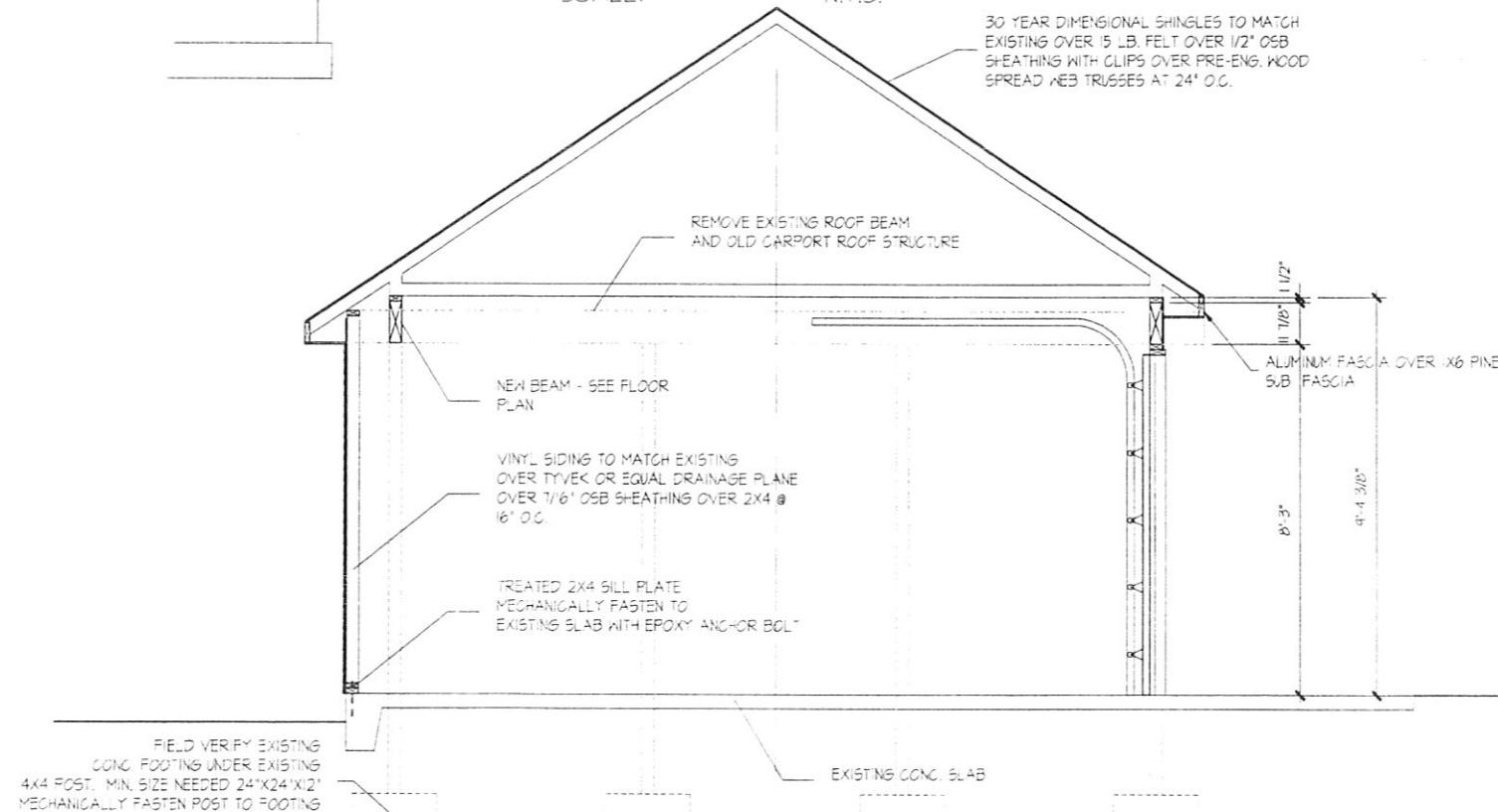
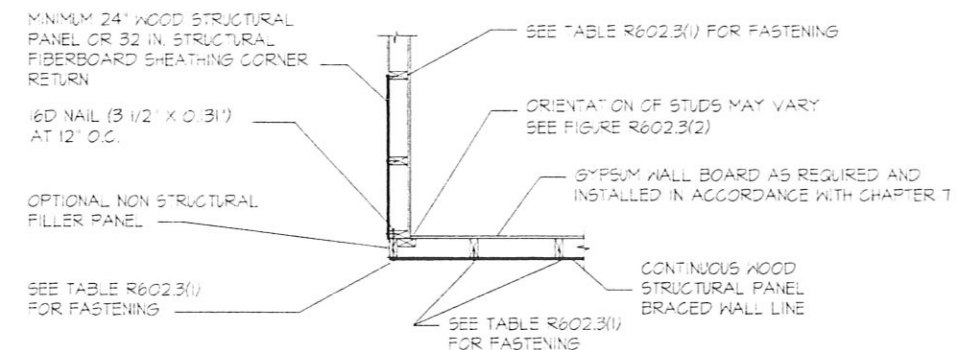


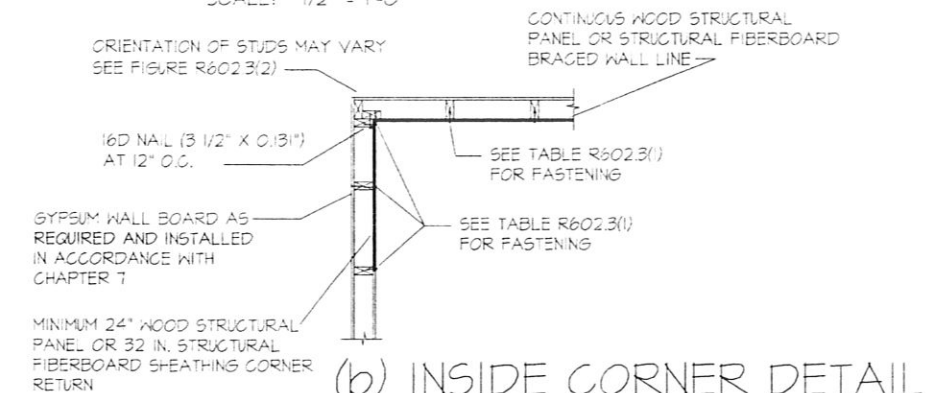
FIGURE R602.04.11
METHOD CS-PF CONTINUOUS PORTAL FRAME PANEL CONSTRUCTION
BRACEWALL LINE "2" CS-PF
SCALE: N.T.S.



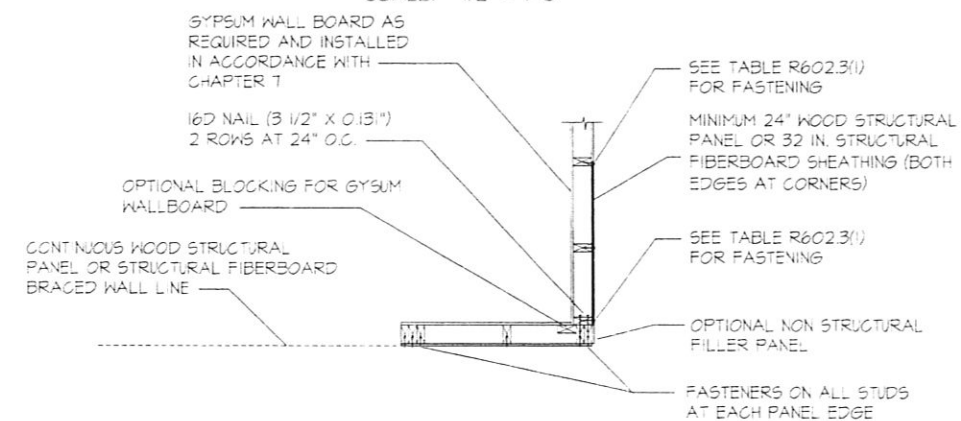
(A) BUILDING SECTION
SCALE: 1/2" = 1'-0"



(a) OUTSIDE CORNER DETAIL
SCALE: 1/2" = 1'-0"



(b) INSIDE CORNER DETAIL
SCALE: 1/2" = 1'-0"



(c) GARAGE DOOR CORNER DETAIL
SCALE: 1/2" = 1'-0"

**TYPICAL EXTERIOR CORNER FRAMING
FOR CONTINUOUS SHEATHING**
SCALE: 1/2" = 1'-0"

FIFTH ST

MAPLE ST

SOAK ST

Alley

Alley

Legend

☐ Road Names

☒ Parcels



1 inch = 53 feet

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Communication to the Board of Zoning Appeals

FOR THE MEETING OF: June 10, 2014

FROM: DAVID WESTON, ZONING ADMINISTRATOR *DMW*

SUBJECT: REQUEST 14-BZA-06

DATE: June 6, 2014

You have a request from Keith and Cheri Huggett, **122 North Elmwood Avenue**, Traverse City, Michigan for relief from the zoning laws (§1332.07(a)) to construct a 9.9 foot by 20 foot addition to an existing detached garage located at the property mentioned.

The property mentioned is zoned R-1b (Single Family Dwelling District) and detached garages are required to be located in the rear yard. The property is a corner lot which has two front yards, one on Elmwood Avenue and one on 3rd Street. The existing detached garage is located on the property line along 3rd Street and is in front of the existing home by 5 feet. The applicants would like to replace and raise the roof on a portion of the existing garage and add an addition to the west side of the garage keeping it in the same plane along 3rd Street (on the property line) as the existing garage. Mr. and Mrs. Huggett will be requesting a dimensional variance to allow for the garage addition to be on the property line and be located in the front yard on 3rd Street.

5-20-14 DUE



City of Traverse City

APPLICATION FEE: \$240.00	Date of Application: 5-19-14
Check Number: 3578	Date of Public Hearing: 6-10-14
Receipt Number: 18398	Case Number: 14-BZA-06

TRAVERSE CITY BOARD OF ZONING APPEALS APPLICATION

for Variance, Exception, Appeal, Ordinance Interpretation or
Reconsideration

PROPERTY DESCRIPTION (legal description AND property address):

122 N. Elmwood

REQUEST AND PROPOSED PROJECT:

DIMENSIONAL VARIANCE TO HAVE A GARAGE
ADDITION ON THE PROPERTY LINE

TO BE COMPLETED BY ZONING ADMINISTRATOR:

Request: Appeal for Administrative Decision _____
Interpretation of Ordinance _____
Exception _____
Variance ☒

Name: Keith & Cheri Huggott Phone: (231) 620-2920 Fax: _____

Address: 122 N Elmwood, Traverse City, MI 49684

Signature of Owner: Keith M. Huggott Cheri Huggott

Signature of Applicant (if different): _____

Relationship of Applicant to Owner: _____

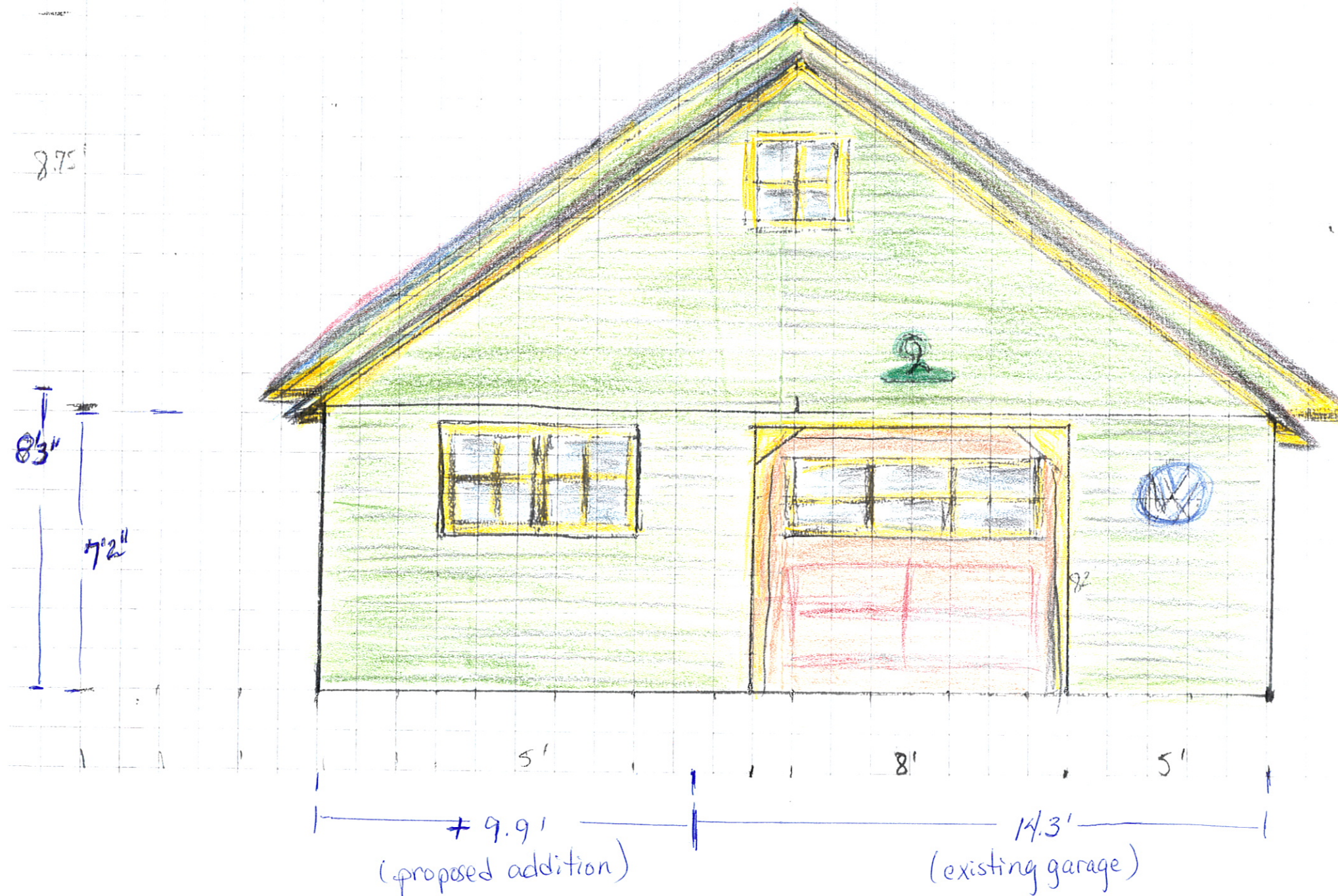
**APPLICATIONS MUST BE RECEIVED A MINIMUM OF 21 DAYS PRIOR
TO THE MEETING AT WHICH THE REQUEST WILL BE CONSIDERED.**

REPRESENTATION AT HEARING: THE APPLICANT OR THE APPLICANT'S
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PROPERLY ANSWER QUESTIONS CONCERNING THE APPEAL. IF THE
APPLICANT OR AGENT IS NOT PRESENT, THE APPEAL MAY BE DEFERRED
UNTIL THE NEXT MEETING OR DISMISSED AT THE DISCRETION OF THE BOARD.

*** PLEASE NOTE THE REVERSE SIDE FOR SITE PLAN REQUIREMENTS ***



South side
(Facing Third St.)

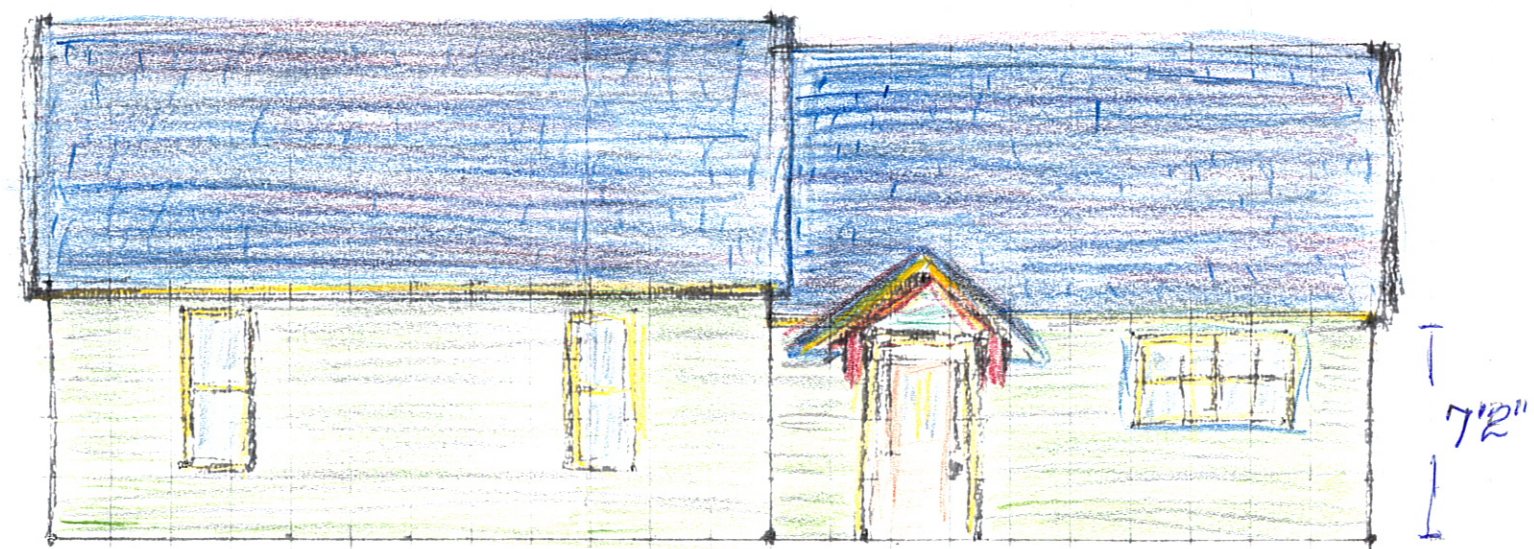


ext light?

West Side
(facing house)

8' 7 1/2"
5' 6"
2' 4" high
8' 3"

width
5' 1" x 2' 0"
door frame
7' 1" x 4' 3"



24 ft
112"
3' 1" 4' 5"
20 ft

door 6' 2" wide
2' 4" high
2' 4" x 6' 2"

N ELMWOOD AVE

THIRD ST

Alley

116

920

918

911

122

128

130

121

123

127

ADDITION

EX. GARAGE



Legend
Road Names
Parcels

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1 inch = 20 feet

N ELMWOOD AVE

W FRONT ST

Alley

THIRD ST

N SPRUCE ST



Legend
Road Names
Parcels

1 inch = 37 feet

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Communication to the Board of Zoning Appeals

FOR THE MEETING OF: June 10, 2014

FROM: DAVID WESTON, ZONING ADMINISTRATOR *DMW*

SUBJECT: REQUEST 14-BZA-07

DATE: June 6, 2014

You have a request from Dave Heim, 2304 Leisure Lane, Traverse City, Michigan, Construction Design Consultant for the Grand Traverse Area Community Living Center, **935 Barlow Street** for relief from the zoning laws (§1332.05(c)) to construct a 12 foot by 20 foot deck located at the property mentioned.

The property mentioned is zoned R-1b (Single Family Dwelling District) and the rear yard setback for a deck is 15 feet. The applicant is proposing to construct a 12 foot by 20 foot deck to the rear of the building which will be located 12 feet from the rear property line. Mr. Heim will be requesting a dimensional variance of 3 feet for the rear yard setback encroachment.

Paradeaux



City of Traverse City

APPLICATION FEE: \$240.00	Date of Application: _____
Check Number: <u>18400</u>	Date of Public Hearing: _____
Receipt Number: <u>1109</u>	Case Number: _____

**TRAVERSE CITY BOARD OF ZONING APPEALS
APPLICATION**

for Variance, Exception, Appeal, Ordinance Interpretation or
Reconsideration

PROPERTY DESCRIPTION (legal description AND property address):

935 Barlow Street, Traverse City, Michigan

REQUEST AND PROPOSED PROJECT:

request a 2'-0" variance past existing 15'-0" Deck setback. 12x20 treated deck & rail system @ gun deck location - existing structure.

TO BE COMPLETED BY ZONING ADMINISTRATOR:

Request:	Appeal for Administrative Decision	_____
	Interpretation of Ordinance	_____
	Exception	_____
	Variance	_____

Name: Gt Community Living Center Phone: 231-409-8474 Fax: _____

Address: 935 Barlow St. Traverse City, MI

Signature of Owner: _____

Signature of Applicant (if different): [Signature] agent

Relationship of Applicant to Owner: Construction agent

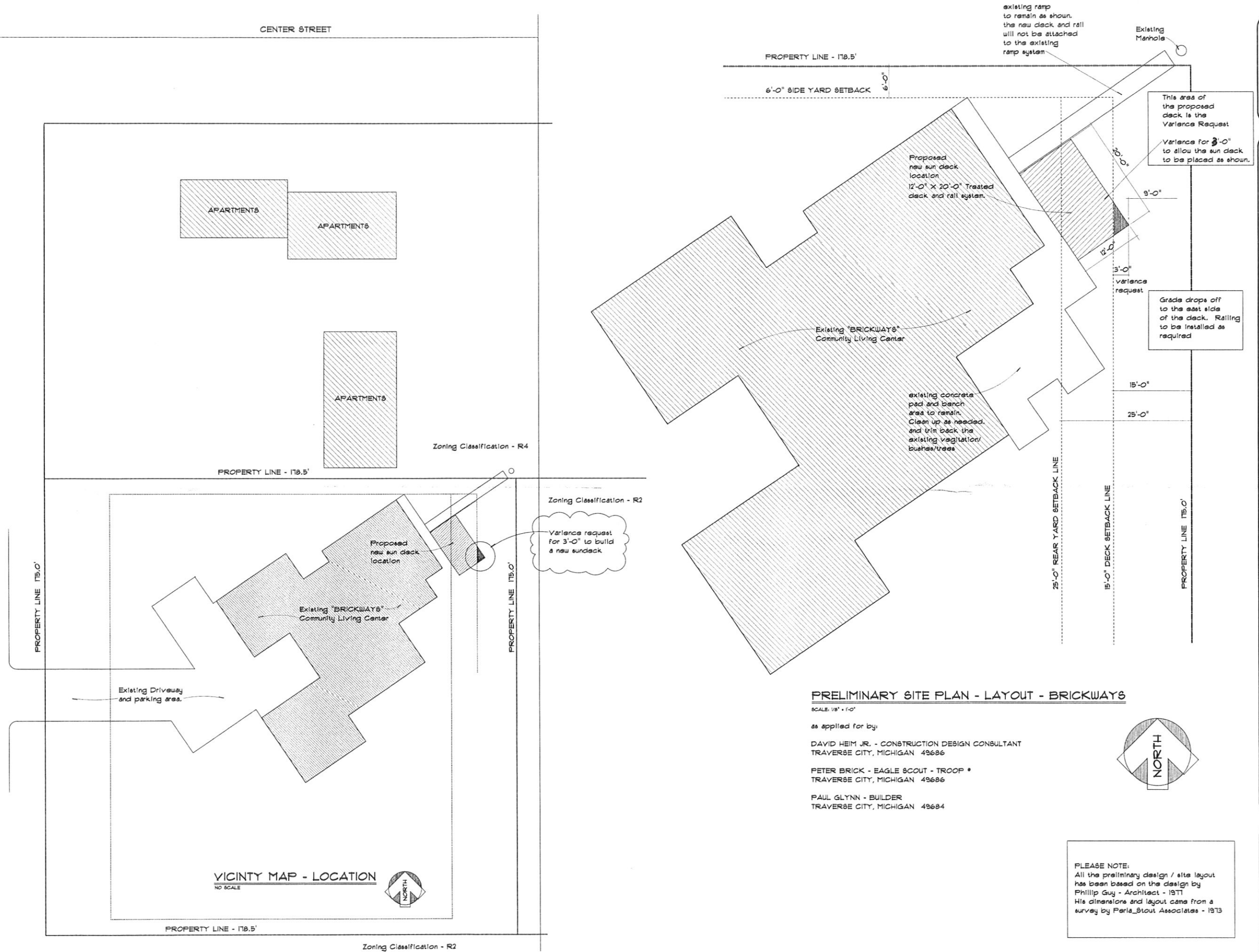
**APPLICATIONS MUST BE RECEIVED A MINIMUM OF 21 DAYS PRIOR
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BARLOW STREET

CENTER STREET

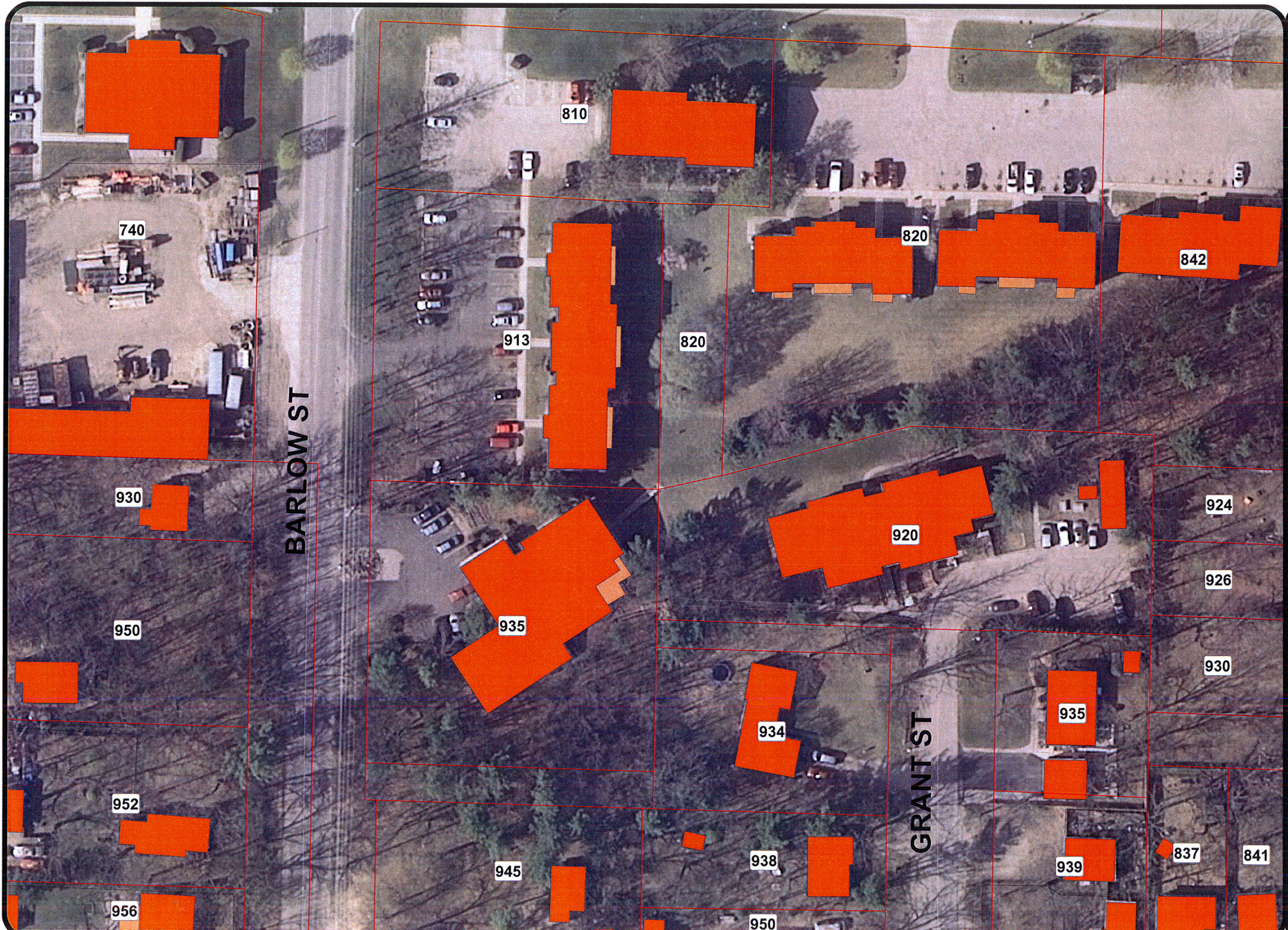


DRAWN: DHDC
DHDC
2304 Leifer Lane
Traverse City, Michigan
49686
231-409-5074
dhdc@char.net

PAUL GLYNN - BUILDER
Grand Traverse Community Living Center
935 Barlow Street - Traverse City - Michigan

BRICKWAYS' - community living center
Grand Traverse Community Living Center
935 Barlow Street - Traverse City - Michigan
City of Traverse City - Grand Traverse County

DRAWN: DHUR
REVISION DATE:
5-21-14
DATE PLOTTED: 5-21-14
SHEET NUMBER:
Preliminary Site Plan
6 - 1



Legend

Road Names
Parcels



1 inch = 55 feet

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